IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CENTRAL EXCISE APPEAL NO.50 OF 2004

M/s.D.C.Polyster (P) Ltd. .. Appellants
V/s
Commissioner of Central Excise,
Mumbai III .. Respondents

Mr.Prakash Shah i/by DSK Legal for the Appellants.

Mr.R.V.Desai with Mr.Rajiv Chavan with Mr.Suresh Kumar for the Respondents.

CORAM: S.RADHAKRISHNAN &
J.H.BHATIA, JJ.

DATE : 06/07/2005.

P.C.:

1. Heard the learned Counsel for the parties. The learned Counsel for the Appellants states that the order dated 3.12.2003 passed by the CESTAT out of which the substantial question of law is sought to be raised, ifself has been recalled by the CESTAT. Under these circumstances, the learned Counsel for the Appellants seeks leave to withrdaw this Appeal. Appeal is therefore allowed to be withdrawn and stands dismissed as such.

(S.RADHAKRISHNAN J.)

(J.H.BHATIA J.)